

REMARKS

Claims 1-23 are pending. The Examiner's reconsideration of the rejections is respectfully requested.

Claims 1-14 and 16-23 have been rejected under 35 U.S.C. 102(e) as being anticipated by Gudjonsson et al. (U.S. Patent No. 6,564,261). The Examiner stated essentially that Gudjonsson teaches all the limitations of claims 1-14 and 16-23.

Claims 1 and 19 claim, *inter alia*, "providing the at least one consumer with interactive business facilities via the abstract graphical proxy for the environment." Claim 8 claims, *inter alia*, "representing a social proxy in an abstract graphical display of a marketplace for facilitating consumer interaction; defining a consumer proxy of a consumer, the consumer proxy having updatable variables; displaying the consumer proxy within the abstract graphical display of the marketplace".

Gudjonsson teaches a contact list of users (see Figure 8 and col. 11, line 43 to col. 12, line 18) and methods for establishing a communication session between the users, wherein the communication session may be a text chat session, a voice chat session, or web conference (see col. 3, lines 13-18). Further, Gudjonsson illustrates how users send invitations to communication sessions (see Figures 1-6). Gudjonsson does not teach "providing the at least one consumer with interactive business facilities via the abstract graphical proxy for the environment," as claimed in claims 1 and 19 or "representing a social proxy in an abstract graphical display of a marketplace for facilitating consumer interaction" as claimed in claim 8. The contact list of Gudjonsson displays a literal list of user information, e.g., addresses or IDs, for establishing a communication session. Thus, the contact list of users of Gudjonsson is not an abstract graphical proxy for an environment, essentially as claimed in claims 1 and 19 or an abstract graphical display of a

marketplace, essentially as claimed in claim 8. Further, the illustrations shown in Figures 1-6 of Gudjonsson are used for describing the invention. However, nowhere does Gudjonsson teach that these illustrations provide interactive business facilities to a consumer, essentially as claimed in claims 1 and 19 or facilitate consumer interaction, essentially as claimed in claim 8. Therefore, Gudjonsson does not teach “providing the at least one consumer with interactive business facilities via the abstract graphical proxy for the environment,” as claimed in claims 1 and 19 or “representing a social proxy in an abstract graphical display of a marketplace for facilitating consumer interaction” as claimed in claim 8. Therefore, Gudjonsson does not teach every limitation of claims 1, 8 and 19.

Claims 2-7 depend from claim 1. Claims 9-14 and 16-18 depend from claim 8. Claims 20-23 depend from claim 19. The dependent claims are believed to be allowable for at least the reasons given for claims 1, 8 and 19. At least claims 7 and 23 are believed to be allowable for additional reasons.

Claims 7 and 23 claim, “wherein the consumer proxy is individualized according to consumer activity of the at least one consumer within the environment.”

Gudjonsson teaches identifying and mapping users via a user ID (see col. 16 lines 7-19). Gudjonsson does not teach that a consumer proxy is individualized according to consumer activity of the at least one consumer within the environment, as claimed in claims 7 and 23. The user ID of Gudjonsson is set prior to a user communicating over the network, a user could not access the network of Gudjonsson without first having a user ID. Thus, the user ID of Gudjonsson has no connection to a user’s communication or activity over the network. Therefore, Gudjonsson fails to teach “wherein the consumer proxy is individualized according to

consumer activity of the at least one consumer within the environment” as claimed in claims 7 and 23.

The Examiner’s reconsideration of the rejection is respectfully requested.

Claim 15 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson in view of Fisher et al. (U.S. Patent No. 5,935,896). The Examiner stated essentially that the combined teachings of Gudjonsson and Fisher teach or suggest all the limitations of claim 15.

Claim 15 depends from claim 8. Claim 15 is believed to be allowable for at least the reasons given for claim 8. Claim 15 is believed to be allowable for additional reasons.

Claim 15 recites, “wherein the abstract graphical display of the marketplace is an auction proxy including concentric circles, an inner-most circle for displaying auction information, an inner circle for indicating bidding activity, and an outer circle for indicating user interest.”

Gudjonsson teaches communication over computer networks (see Abstract). Gudjonsson does not teach or suggest “wherein the abstract graphical display of the marketplace is an auction proxy including concentric circles, an inner-most circle for displaying auction information, an inner circle for indicating bidding activity, and an outer circle for indicating user interest” as claimed in claim 15. Gudjonsson teaches server clusters and clients communicating through the server clusters (see Figures 1-6). As shown with respect to claims 1, 8 and 19, Gudjonsson does not teach or suggest an abstract graphical display. Further, nowhere does Gudjonsson teach or suggest, an auction proxy including concentric circles, essentially as claimed in claim 15. Figures 1-6 of Gudjonsson illustrate server clusters but do not teach or suggest an abstract graphical display of an auction proxy including concentric circles, essentially as claimed in claim 15. Therefore, Gudjonsson fails to teach or suggest all the limitations of claim 15.

Fisher teaches a system and method for performing an auction (see Abstract). Fisher teaches a literal representation of the auction (see Figure 2). Fisher does not teach or suggest an abstract graphical display of a marketplace, much less an auction proxy including concentric circles, essentially as claimed in claim 15. Fisher's system presents a user with catalogs and forms (see col. 7, lines 32-43). Catalogs and forms are literal representations of the auction. Nowhere does Fisher teach or suggest an abstract display of an auction, essentially as claimed in claim 15. Therefore, Fisher fails to cure the deficiencies of Gudjonsson.

The combined teachings of Gudjonsson and Fisher fail to teach or suggest wherein the abstract graphical display of the marketplace is an auction proxy including concentric circles, an inner-most circle for displaying auction information, an inner circle for indicating bidding activity, and an outer circle for indicating user interest," as claimed in claim 15. The Examiner's reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including claims 1-23 is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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